



unmarked.
#6/ Election
3.17.03
W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37872-0004

Applicant(s): Tomihisa NAITO

Appl. No.: 09/879,034

Examiner: C. Kim

Filing Date: June 13, 2001

Group Art Unit: 3752

Title: ATOMIZING APPARATUS AND METHOD

Preliminary Amendment and Response to Restriction Requirement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the Application as follows:

In the Specification:

Please insert the following after the Title:

RECEIVED

MAR 14 2003

TECHNOLOGY CENTER R3700

--Cross-Reference to Related Applications

A
This Application claims priority under 35 U.S.C. § 119 to Japanese Patent Application No. P2000-181600, filed June 16, 2000, which is incorporated herein by reference in its entirety.--

In the Claims:

/ Please cancel claims 10-12 without prejudice or disclaimer.

Remarks

In response to the Restriction Requirement mailed February 28, 2003, Applicant elects, without traverse, Group 1, claims 1-9 for prosecution in the captioned application. Applicant reserves the right to file one or more divisional applications drawn to the non-elected subject matter.

Applicant has also amended the specification to include a cross reference to the priority document under 35 U.S.C. § 119. Applicant has also canceled non-elected claims 10-

12 without prejudice or disclaimer. Accordingly, claims 1-9 will be pending with entry of the amendments.

An action on the merits is now awaited. Should there be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: March 13, 2003

By Patricia D. Granados

Customer No. 26633
HELLER EHRMAN WHITE &
MCAULIFFE LLP
1666 K Street, N.W., Suite 300
Washington, DC 20006
Telephone: (202) 912-2142
Facsimile: (202) 912-2020

Patricia D. Granados
Attorney for Applicant
Registration No. 33,683



26633

PATENT TRADEMARK OFFICE